

1
2 UNITED STATES DISTRICT COURT
3 SOUTHERN DISTRICT OF NEW YORK

COPY

4 -----X
5 LEIGHTON TECHNOLOGIES LLC,

6 Plaintiff,

7 Civil Action No.

8 -against-

04 CV 2496

(CM) (LMS)

9 OBERTHUR CARD SYSTEMS, S.A.,

10 Defendant.
11 -----X

12 November 22, 2005

13 12:30 p.m.

14 Deposition of BARRY MOSTELLER, taken by
15 Plaintiff, pursuant to notice, at the offices of
16 Sutherland Asbill & Brennan, 1114 Avenue of the
17 Americas, New York, New York, before Tracy
18 Eckhoff, a Shorthand Reporter and Notary Public
19 within and for the State of New York.
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25

1 BARRY MOSTELLER

2 straight.

3 Do you agree that there would be
4 overpressure problems if you attempted to make a
5 contactless card with a non-weight compensated
6 lamination machine?

7 MR. GASPARO: Objection.

8 A. Repeat the question again.

9 Q. Sure. Sure.

10 Would you agree that there would be
11 overpressure problems if you tried to manufacture
12 contactless cards with a non-weight compensated
13 lamination machine?

14 A. In some --

15 MR. GASPARO: Objection.

16 A. In some instances.

17 Q. And one of the things that you would
18 encounter is that you would damage the chip
19 during the process, correct?

20 MR. GASPARO: Objection.

21 A. Not necessarily.

22 Q. Overpressure would not cause any
23 damage to the chip in the lamination process of a
24 contactless card?

25 MR. GASPARO: Objection.

1 BARRY MOSTELLER

2 A. In my opinion, it depends on specific
3 circumstances other than just the fact that you
4 do or don't have zero compensation.

5 Q. Did you -- before you obtained this
6 weight compensated lamination machine this year,
7 did you run into the problem of chips being
8 damaged during the lamination process of
9 contactless cards?

10 MR. GASPARO: Objection.

11 A. I've seen chips damaged in both a
12 standard laminator and a zero compensation
13 lamination process.

14 Q. Would you characterize the number of
15 chips you've seen damaged in the compensator or
16 in the zero weight compensator?

17 MR. GASPARO: Objection.

18 Q. On a percentage basis.

19 A. In a specific -- in a specific
20 instance, with a specific construction, with a
21 specific module, I have witnessed a 1 to
22 2 percent higher scrap on a non-zero compensation
23 laminator. By the same token, I have witnessed
24 without having a significant difference.

25 Q. Would you agree that you would